

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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UNITED STATES OF AMERICA

- against -

FELIPE ACEVEDO,

Defendant.

24 Cr. 267 (VM)

ORDER

VICTOR MARRERO, United States District Judge.

Defendant Felipe Acevedo ("Acevedo") has recently submitted a variety of requests in the aftermath of his sentencing for his violation of supervised release. First, Acevedo filed an "Appeal Motion" asking for an amendment of his sentences to run concurrently (See Dkt. No. 35.) Acevedo has also filed a motion for a downward departure (See Dkt. No. 36.) Finally, Acevedo has submitted a letter detailing certain arguments that are relevant to his appeal. (See Dkt. No. 37.)

Acevedo has filed a timely notice of appeal of the judgment in this action on October 22, 2024. (See Dkt. No. 31.) "The filing of a timely and effective notice of appeal from a final judgment divests the court of jurisdiction to amend or otherwise reconsider that judgment." U.S. v. Katsougrakis, 715 F.2d 769, 776 (2d Cir. 1983.) This Court no longer has jurisdiction to consider issues currently pending

before the Second Circuit. Acevedo is instructed to raise these issues on direct appeal.

The Clerk of Court is respectfully directed to close the motions at Docket Numbers 35 and 36 and to mail this Order to Felipe Acevedo, Register Number 67247-064, USP Canaan, U.S. Penitentiary, P.O. Box 300, Waymart, PA 18472.

SO ORDERED.

Dated: 3 April 2025
New York, New York

A handwritten signature in blue ink, appearing to read 'VM', is written above a horizontal line.

Victor Marrero
U.S.D.J.